

Senate File 2305

S-5058

1 Amend the amendment, S-5047, to Senate File 2305 as follows:

2 1. Page 7, after line 4 by inserting:

3 <Sec. _____. Section 88.14, subsection 12, Code 2018, is
4 amended to read as follows:

5 12. *Collection of penalties.*

6 a. Civil penalties owed under **this chapter** shall be paid
7 to the commissioner for deposit with the treasurer of state
8 and shall accrue to the state and may be recovered in a civil
9 action in the name of the state brought in the district court
10 of the county where the violation is alleged to have occurred
11 or where the employer has its principal office unless the
12 circumstances described in paragraph "b" are present.

13 b. If an occupational safety and health violation involves
14 a workplace injury, civil penalties will be assessed and
15 distributed as follows:

16 (1) Fifty percent of the civil penalties collected under
17 this section shall be deposited in the fund created in section
18 507F.5.

19 (2) The remaining fifty percent of the civil penalties
20 collected shall be deposited in the fund created in section
21 88.14A.

22 Sec. _____. **NEW SECTION. 88.14A Occupational safety and**
23 **health administration workplace injury fund.**

24 An occupational safety and health administration workplace
25 injury fund is created in the state treasury as a separate fund
26 under the control of the division of labor services of the
27 department of workforce development. Moneys shall be deposited
28 into the fund as provided in section 88.14, subsection 12,
29 paragraph "b", and are appropriated to the division of labor
30 services of the department of workforce development for
31 occupational safety and health administration. Notwithstanding
32 section 8.33, any balance in the fund on June 30 of each fiscal
33 year shall not revert to the general fund of the state, but
34 shall be available for purposes of this chapter in subsequent
35 fiscal years.>

1 2. By renumbering as necessary.

NATE BOULTON

WILLIAM A. DOTZLER, JR.